

**NOTICE OF APPEAL TO A COURT OF APPEALS
FROM AN ORDER OF A
DISTRICT COURT**

United States District Court for the Northern
District of Illinois

File Number: 08-cv-0058
Consolidated with 08-cv-1313

JAY FRANCO & SONS, Inc.,)
Plaintiff/Appellee,) Case No: 08-CV-0058
v.)
CLEMENS FRANEK,)
Defendant/Appellant.)

CLEMENS, FRANEK,)
Plaintiff,) Case No: 08-cv-0058
WALMART STORES, INC., and)
TARGET CORPORATION)
Defendant.

NOTICE OF FILING

To: Please see attached Service List

PLEASE BE ADVISED that we have on April 28, 2009 caused to be filed a **Notice of Appeal**.

/s/ Mark D. Roth

PROOF OF SERVICE

I, Mark Roth, an attorney, certify that I served **Notice of Appeal**, by mailing a copy to counsels of record, by U.S. Mail postage pre-paid on or before 5:00 pm. on April 28, 2009.

/s/ Mark D. Roth

Mark D. Roth(ARDC#6196815)
Beata Bukranova (ARDC#6282593
ORUM & ROTH, LLC
53 W. Jackson Blvd.
Suite 1616
Chicago, Illinois 60604
(312) 922-6262